

# Government of Canada announces the creation of the Qalipu Mi'kmaq First Nation Band

**OTTAWA, ONTARIO (September 26, 2011)** – The Honourable John Duncan, Minister of Aboriginal Affairs and Northern Development and Brendan Sheppard, Chief of the Qalipu Mi'kmaq First Nation Band, today announced the creation of the Qalipu Mi'kmaq First Nation Band .

“The creation of the Qalipu Mi'kmaq First Nation Band is an important step forward for the Mi'kmaq people of Newfoundland,” said Minister Duncan. “Today marks the official recognition for all members of the Qalipu Mi'kmaq First Nation Band as Status Indians under the Indian Act.”

“I congratulate the efforts of all members of the Qalipu Mi'kmaq First Nation Band,” said the Honourable Peter Penashue, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada. “Today marks a historic occasion for the Mi'kmaq of Newfoundland, one which will not be forgotten.”

With the creation of the Qalipu Mi'kmaq First Nation Band, members of the band will be able to access federal programs and services. As outlined in the Settlement Agreement, there are no lands set aside to create a reserve. An official celebration will take place later this fall with members of the band.

“On behalf of the members of the Qalipu Mi'kmaq First Nation Band, I want to thank all the people who worked so hard in bringing our recognition process to reality,” said Brendan Sheppard, Chief, Qalipu Mi'kmaq First Nation Band. “Thousands of Mi'kmaq people are finally able to claim their birthright, and while we must not forget our history, we must look forward to the future and do the best we possibly can to develop the tremendous potential that exists among our people.”

## Backgrounder – Creation of the Qalipu Mi'kmaq First Nation Band

In 1949, Newfoundland and Labrador was the last province to join Confederation. There was no agreement between the province and Canada on if, how or when the Indian Act system would be applied to the Mi'kmaq, who live primarily on the Island of Newfoundland. In the absence of such an agreement, coupled with the fact that there were no reserve lands nor federal treaties requiring reserve creation, the Indian Act was not applied.

From the 1950s to the 1980s, Canada provided ad-hoc funding to the province for social and health programs for Aboriginal Communities living in the province. Over time, however, both the federal government and the First Nation population expressed a desire for a more focused and systematic application of the Indian Act.

In 1989, the Federation of Newfoundland Indians (FNI) , representing approximately 7,800 members from the nine Mi'kmaq communities across the island, along with Chiefs of six affiliated groups began a Federal Court Action seeking eligibility for registration under the Indian Act. Due to years of on-and-off again negotiations, the court case was in abeyance until 2002 when exploratory discussions to settle the court action between Canada and FNI began. These discussions involved consultation sessions with Mi'kmaq communities and FNI members that were held by FNI and Canada. Through this process, FNI members voiced that they would like to be registered as Status Indians under the Indian Act and the FNI made a commitment to all of its members that they would be able to vote on any agreement reached with Canada. In addition, the Government of Canada proposed that Newfoundland Mi'kmaq be registered under the Indian Act as a band with no reserve land if they met the established membership eligibility criteria.

From 2004 to 2006, the FNI and the Government of Canada agreed to undertake official negotiations for the creation of a band with no reserve land under the Indian Act for the Mi'kmaq of Newfoundland. In 2006, an Agreement-in-Principle (AIP) was reached that identified the process for recognition, the creation of a band with no reserve land, and specific FNI members who can vote on ratification. On November 30, 2007, the Government of Canada and FNI announced that they had completed negotiations and the Agreement-in-Principle was initialled, marking a historic day for the Mi'kmaq of Newfoundland. FNI members overwhelmingly ratified this AIP on March 2008 and Canada ratified it on June 2008.

On September 23, 2011, the creation of the Qalipu Mi'kmaq First Nation Band was announced. The creation of the band was advanced to improve the quality of life and economic prospects of the new band's membership. Through the creation of the band, Newfoundland's Mi'kmaq are recognized as a band under the Indian Act. The registration of members of the Qalipu Mi'kmaq First Nation follows the creation of the band and members will receive a Temporary Confirmation of Registration Document from Aboriginal Affairs and Northern Development Canada, pending the issuance of a Certificate of Indian Status. This document indicates that the individual named therein is registered as an Indian under the Indian Act and may access benefits and/or services conferred to Registered Indians.

September 2011

## **Frequently Asked Questions – Creation of the Qalipu Mi'kmaq First Nation Band**

### **Q.1. Why was the Qalipu Mi'kmaq First Nation Band created?**

The creation of the Qalipu Mi'kmaq First Nation Band is a result of an out-of-court Settlement Agreement between the Government of Canada and the Federation of Newfoundland Indians (FNI).

## **Q.2. What are the main goals of the Qalipu Mi'kmaq First Nation Band?**

Through the creation of the band, Newfoundland's Mi'kmaq receive official federal recognition as a band within the meaning of the Indian Act. Its members will be eligible for registration as Status Indians and have access to programs and benefits made available to other Status Indians in Canada.

## **Q.3. What programs and services are available to the new band membership?**

The Government of Canada is committed to ensuring that members of the band are able to access federal programs and services for Status Indians once they receive their Temporary Confirmation of Registration Document.

The Settlement Agreement states that the Qalipu Mi'kmaq First Nation Band and its members will be eligible for certain federal programs. These programs currently include:

- Post-secondary Student Support
- Band Support Funding
- Band Employee Benefits
- Community Economic Development Organizations
- Community Support Services
- Community Economic Opportunities
- Non-insured Health Benefits

## **Q.4. Who is eligible for registration and membership in the band?**

An individual is eligible to be enrolled in the new band if he or she:

- is living at the time the band is established;
- is of Canadian Indian ancestry by birth or adoption;
- was a member of a Newfoundland pre-Confederation Mi'kmaq Community on or before March 31, 1949, or is a descendant of such a person by birth or adoption;
- is not registered in the Indian Registry as of the date of the establishment of the new band;  
and
- self-identifies and is accepted by the Mi'kmaq Group of Indians.

## **Q.5. Why were Mi'kmaq people in Newfoundland not registered immediately following the province's entry into Confederation in 1949?**

In 1949, Newfoundland and Labrador was the last province to join Confederation. There was no agreement between the province and Canada on if, how or when the Indian Act system would be applied to the Mi'kmaq, who live primarily on the Island of Newfoundland. In the absence of such an agreement, coupled with the fact that there were no reserve lands nor federal treaties requiring reserve creation, the Indian Act was not applied.

From the 1950s to the 1980s, Canada provided ad-hoc funding to the province for social and health programs for Aboriginal communities living in the province. Over time, however, both the federal government and the First Nation population expressed a desire for a more focused and systematic application of the Indian Act system.

**Q.6. How does the creation of the Qalipu Mi'kmaq First Nation Band benefit the Mi'kmaq of the province?**

Registered Newfoundland Mi'kmaq will now have access to several federal programs that are available to Status Indians throughout Canada.

**Q.7. How will members of the Qalipu Mi'kmaq First Nation Band access these programs and services?**

Members of the Qalipu Mi'kmaq First Nation Band will be registered in the weeks following the creation of the band and will receive a Temporary Confirmation of Registration Document from Aboriginal Affairs and Northern Development Canada, pending the issuance of a Certificate of Indian Status. This document indicates that the individual named therein is registered as an Indian under the Indian Act and may access benefits and/or services conferred to Registered Indians. The document is temporary in nature, with an expiry date, and will provide the client with written evidence of their registration as an Indian until such time as they apply for and receive their Certificate of Indian Status.

Date: September 26, 2011